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CAPITAL ONE BANK (USA), N.A.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 CAPITAL ONE BANK (USA), N.A.,
14 Plaintiff,
15 v.
16 EDMUND G. BROWN, JR., in his capacity as
Attorney General of the State of California,
17
18 Defendant.

Case No. C08-02289 BZ

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE
JUDGE AND REQUEST FOR
REASSIGNMENT TO DISTRICT
JUDGE**

Hon. Bernard Zimmerman

Complaint filed: May 2, 2008

1 Plaintiff Capital One Bank (USA), N.A. respectfully requests that this case be reassigned
2 to a district judge pursuant to Local Rule 73-1.

3 Dated: June 2, 2008

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7 By: /s/ James F. McCabe
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